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HUMAN RIGHTS QUESTIONS

SECURITY COUNCIL
Fifty-second year

Letter dated 17 July 1997 from the Permanent Representative of Cambodia to the United Nations addressed to the Secretary-General

I have the honour to enclose herewith for your urgent attention a declaration issued on 16 July 1997 by H.E. Mr. Son Soubert, Second Vice-President and member of the Permanent Committee of the National Assembly (annex I), on the recent bloody coup d'état in Cambodia launched by Second Prime Minister Hun Sen on 5 July 1997, as well as a statement issued on 15 July 1997 by members of Parliament of the Kingdom of Cambodia (annex II).

I would be deeply grateful if you would kindly circulate the text of the present letter and its annexes as an official document of the General Assembly, under agenda items 109 and 110, and of the Security Council.

(Signed) SISOWATH Sirirath
Ambassador Extraordinary
and Plenipotentiary,
Permanent Representative

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ANNEX I

Declaration issued on 16 July 1997 by Mr. Son Soubert, Second Vice-President and member of the Permanent Committee of the National Assembly of Cambodia

Noting that Mr. Hun Sen led a barbaric and undemocratic coup d'état in order to assume power by force on 5 and 6 July 1997,

Considering that the Constitution of the Kingdom of Cambodia, in its article 100, stipulates that:

> "On the proposal of the President of the National Assembly and with the agreement of both Vice-Presidents of the National Assembly, the King appoints a high-ranking personality among the members of the National Assembly (Parliament) from the political party that wins the election, in order to form the Government",

Considering articles 7 to 10 and 19 of the rules of procedure of the National Assembly,

In my capacity as Second Vice-President and as a member of the Permanent Committee of the National Assembly, I wish to declare that:

1. No plenary session of the National Assembly may be legally convened without the adoption of the agenda of the session by the 12 members of the Permanent Committee beforehand (article 19). But today five members of the Permanent Committee have already left the country and the President of the National Assembly, Mr. Samdech Chea Sim, is now Acting Chief of State. Therefore the members of the Permanent Committee who may attend the meeting number only six, i.e., the quorum of the Permanent Committee meeting which requires the presence of at least seven members cannot be met (article 10); no Deputy-Chairman or Secretary of the Committee has the right to decide or to act in place of the Chairman of each of the Committees.

2. The new First Prime Minister cannot be elected at will, because any proposal to appoint a candidate as Prime Minister must be made according to the agreement between the President and the two Vice-Presidents of the National Assembly (article 100 of the Constitution). In the present situation, in my capacity as Second Vice-President of the National Assembly, I cannot agree to the proposal to appoint any new candidate to the premiership, because of the above-mentioned irregularities and illegality.

(Signed) SON Soubert
Vice-President and member of
the Permanent Committee of
the National Assembly

ANNEX II

Statement issued on 15 July 1997 by members of Parliament of the Kingdom of Cambodia

We, the members of Parliament of the Kingdom of Cambodia, strongly condemn the violent coup d'état organized by a former member of the Khmer Rouge, Mr. Hun Sen, on 5 and 6 July 1997.

The coup d'état has created an atmosphere of fear and intimidation, and many of us can no longer stay in Cambodia (more than 20 members of Parliament, including a Second Deputy Chairperson of the National Assembly and 5 Permanent Committee members have already left the country) and have no choice but to escape the horrible acts committed by the leader of the coup.

We, the members of Parliament, wish to make the following recommendations:

- To restore peace to Cambodia, the Paris Conference should be reconvened in order to implement once again the provisions of the Paris Peace Accords, in particular the cantonment and disarmament of all armed forces;

- Not to recognize the Government installed by Hun Sen after the coup or the decisions made by an illegal and intimidated Parliament;

- To set up an international tribunal as soon as possible, in order to try and punish those who have committed genocide or crimes against humanity in Cambodia;

- To put pressure on Hun Sen and his forces to stop intimidating people and to create safe havens for those who are fleeing the danger zones;

- To protect all the people, especially the opposition parties and their supporters, from the arrests and executions being committed by the troops of Hun Sen;

- To impose economic sanctions upon and cut off all aid to Cambodia until democracy and respect for human rights are restored in Cambodia;

- To urge the United Nations Educational, Scientific and Cultural Organization (UNESCO) to protect the Angkor temples and to declare the area a security zone free of all military action.

(Signed) SON Soubert Second Vice-President of the National Assembly	(Signed) KEM Sokha, M.P. Chairman, Committee on Human Rights of the National Assembly	(Signed) POL Ham M.P. for Kampong Thom	(Signed) SON Chhay M.P. for Siem Reap

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